

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

JUN 18 2012

JIMMY D. RODGERS,
Plaintiff,

vs.

BECKY GUFFY et al.,
Defendants.

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY ink DEPUTY

No. CIV-12-307-W

ORDER

On March 23, 2012, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this matter and, having determined that the plaintiff, Jimmy D. Rodgers, had adequate funds in his institutional savings account to prepay the filing fee, recommended that the Court deny Rodgers' Motion for Leave to Proceed in Forma Pauperis. Rodgers advised the Court that he had no objection to the Report and Recommendation, see Doc. 6, and accordingly, the Court on April 6, 2012, adopted Magistrate Judge Roberts' Report and Recommendation, denied Rodgers' Motion for Leave to Proceed in Forma Pauperis, and ordered Rodgers to prepay the filing fee in full in the sum of \$350.00 no later than April 27, 2012. See Doc. 7.

Rodgers paid the filing fee in its entirety on April 12, 2012, see Doc. 8, and the Court re-referred the matter to Magistrate Judge Roberts for further proceedings. See Doc. 9.


The matter now comes before the Court on Magistrate Judge Roberts' Report and Recommendation, wherein she has recommended that the Court sua sponte dismiss Rodgers' complaint. Rodgers was given the opportunity to object to the Report and Recommendation, but no objections have been filed within the allotted time.

Upon review of the record and in the absence of any challenges, the Court accepts Magistrate Judge Roberts' suggested disposition of this matter. Accordingly, the Court

(1) ADOPTS the Report and Recommendation [Doc. 10] issued on May 7, 2012;
and

(2) DISMISSES without prejudice Rodgers' complaint under Rule 12(b)(6), F.R.Civ.P., and title 28, 1915A(b)(1) of the United States Code for failure to allege plausible claims for relief under title 42, section 1983 of the United States Code

ENTERED this 18th day of June, 2012.


LEE R. WEST
UNITED STATES DISTRICT JUDGE